

In The United States Court for The Middle District of Alabama  
Montgomery, Alabama

Albert Carter, Jr. 109266  
petitioner

VS  
United States of America  
plaintiff

RECEIVED

Case No. 2:05 CV 654  
2007 JUL 16 A 9:15

DEBRA P. HACKETT, CLERK  
U.S. DISTRICT COURT  
MIDDLE DISTRICT ALA

motion for Recusal

Comme Now, Albert Carter, Jr.. pro se and respectfully move this Honorable Court in his motion for Recusal of district judge mark Fuller, in according to rule 43(c)(2) of federal rule of appellate procedure act [5 U.S.C.A. App 1-15] ALR Fed 483.

Constitution and application of U.S.C.A 455 providing for the disqualification might be question.

August 22, 1997 Antavious Carter was hit and killed by a hit and run driver, the four year child body was drug underneath the car over one hundred feet. Ms. Baker made no attempt to stop moments later she return to the crime scene on feet, and was identify by witnesses as the person driving the car.

The states trooper was not call in to investigate. There was no arrest by the Troy City police department. In fact there was a member of Ms. Baker family part of the investigation.

As prosecutor for Pike County, you deprived the child mother and witnesses of their sixth and Fourteenth Amendment right to testify before the grand jury in bad faith told them on the date the case went before the grand jury to go home and got the case dismiss.

A complaint was file Feb 20, 2003 felon possession a fire arm

after being Convicted of Solicitation-murder in violation of 18 U.S.C. the Court lack subject matter jurisdiction to except my guilty plea because of the "prosecutor mis-con-duct" didn't have the authority to Change the Charge. See Exhibit 1.

I explain the conversation that you and I had concerning the sensely killing with my Court Appointed Attorney and ask him to move my Case before another judge for sentencing because I didn't feel that you would be fair.

It is critical to the issue for district judge mark fuller recusal is understanding the reasons stated above.

Respectfully submitted  
Albert Carter Jr.

Certification of Service

I hereby certify that on 13<sup>ed</sup> day of July 2007, I have served a copy of the foregoing on the U.S. Attorney, by placing the same in the United States mail, by first class, postage prepaid and addressed as follows:

Albert Carter Jr.  
pro se

ADDRESS OF U.S. ATTORNEY

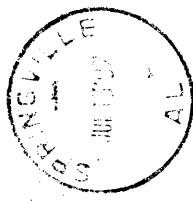
James B. Perrine

P.O. Box 191

Montgomery, Alabama

36101

Albert Jackson, Jr. 1072106  
C-20-A-6  
1000 St. Clair Rd  
Springville, Alabama  
35111



46  
U.S. DISTRICT COURT  
ALABAMA  
Montgomery, Alabama  
36101-0197  
CLERK OF THE CLERK  
U.S. District Court  
P.O. Box 711

FOR LEGAL EXPENSES ONLY